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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/811,464	03/26/2004	Richard Hai Huang	SAR100064000	1785
22891	7590	12/29/2005	EXAMINER	
DELIO & PETERSON			LUGO, CARLOS	
121 WHITNEY AVENUE			ART UNIT	PAPER NUMBER
NEW HAVEN, CT 06510			3676	

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/811,464	HUANG, RICHARD HAI	
	Examiner	Art Unit	
	Carlos Lugo	3676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 21 October 2005.

2a) This action is FINAL.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1,4-11 and 14-22 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) 1,4-11 and 14-20 is/are allowed.

6) Claim(s) 21 and 22 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 21 October 2005 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- Notice of References Cited (PTO-892)
- Notice of Draftsperson's Patent Drawing Review (PTO-948)
- Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- Notice of Informal Patent Application (PTO-152)
- Other: \_\_\_\_\_.

## DETAILED ACTION

1. This Office Action is in response to applicant's amendment filed on October 21, 2005.

### *Drawings*

2. The examiner has approved the correction to the drawings submitted by the applicant on October 21, 2005.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 21 and 22 are rejected** under 35 U.S.C. 103(a) as being unpatentable over US Pat No 5,813,708 to Shen (Shen '708) in view of US Pat No 305,426 to Clark, in view of US Pat No 3,471,190 to Wansbrough et al (Wansbrough), in view of US Pat No 4,460,204 to Olsen, in view of US Pat No 4,728,133 to Valley and further in view of US Pat No 6,619,710 to Hwang.

Shen '708 discloses an integrated door lock handle and trim spindle comprising a door lock handle (52) having a support shoulder and an axial blind opening in the handle for accommodating a spring (51) and a spindle (50).

However, Shen '708 fails to disclose that the end of the handle has external threads; that the cover has a base and an outer lip with external threads; that the assembly comprises a mounting plate sized to fit within the outer lip and having

internal threads; a cap nut having a through opening with internal threads which are to be threaded with the external threads of the handle; that the spindle can be retracted decreasing the effective length of the spindle enabling the assembly to be used for doors of varying thicknesses; that the cap nut has a star shaped opening that engages the spindle to prevent the spindle from turning, and that the assembly further comprising elongated support pins having an enlarged end held in the assembly with the free ends of the posts extending axially through openings in the mounting plate. Shen '708 discloses a different assembly engagement.

With respect to the connection between the cover and the mounting plate having lips threadedly engaged, Wansbrough teaches that it is well known in the art to have the cover (5) that includes a lip (12) with external threads that threadedly engage a lip of a mounting plate (4) having internal threads (Figures 1 and 4).

With respect to the engagement of the cap nut with the external threads at the end of the handle, Olsen teaches that it is well known in the art to have a cap nut (6) threadedly engaged to external threads (3) at the end of a handle.

With respect to the cap having a star shaped opening, Valley teaches that it is well known in the art to have a cap nut (28) having a star shaped opening (28c) that receive a spindle (24 and 26) to prevent the spindle from turning.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the assembly described by Shen '708 with an engagement of the cover and the mounting plate, as taught by Wansbrough, with the engagement of the cap nut with the end of the handle, as taught by Olsen,

and with the engagement of the cap nut with the spindle, as taught by Valley, in order to secure the assembly.

As to the fact that Shen '708 fails to disclose that the spindle can be retracted decreasing the effective length of the spindle enabling the assembly to be used for doors of varying thicknesses, Shen '708 discloses that the spring 51 is introduced into a channel of the handle and abuts the spindle 50.

Clark teaches a similar position of components, having a handle (1 and 2) with a channel that receives a spring (12) that abuts an end of the channel and an end of a spindle. Clark teaches that this connection permits or allows the adjustment of the spindle enabling the assembly to be used for doors of varying thicknesses (Lines 63-66).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the device described by Shen '708 with an adjustment assembly, having the spring positioned between the end of the channel at the handle and abutting the end of the spindle, as taught by Clark, in order to enabling the assembly to be used for doors of varying thicknesses.

As to the elongated support pins, Shen '708 discloses that the mounting plate (60) has elongated mounting post as part of the mounting plate body.

Hwang teaches that it is well known in the art to have elongated mounting posts (32) as separate members attached and extending through apertures of a mounting plate (33).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the assembly described by Shen '708, with mounting supporting pins as separate members from the mounting plate, as taught by Hwang, since the fact that the members are a one-piece construction or are separate members attached together is considered as a design consideration within the art that would not affect the mechanism of the lock.

***Allowable Subject Matter***

5. **Claims 1,4-11, and 14-20 are allowed.**

***Response to Arguments***

6. Applicant's arguments filed on October 21, 2005 have been fully considered but they are not persuasive.

As to the rejection of the claims under 112nd paragraph, the current amendment overcomes the rejection.

The current amendment to claims 1 and 11 overcomes the previous rejection to the claims in view of Shen '708, as modified by Clark, Wansbrough, Olsen, and Hwang. Therefore, the rejection is withdrawn.

As to the arguments presented by the applicant that the prior art fails to disclose a cap nut having a star shaped opening (Page 18 Line 1), Valley teaches that this limitation is well known in the art. Therefore, claims 21 and 22 has been rejected in view of She '708, as modified by Clark, Wansbrough, Olsen, Valley and Hwang.

***Conclusion***

7. Applicant's amendment, the new submitted claims 21 and 22 presenting a different scope of the invention, necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lugo whose telephone number 571-272-7058. The examiner can normally be reached on 9-6pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on 571-272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-272-7049.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5771.

C.L.

Carlos Lugo  
AU 3676

December 13, 2005.



**BRIAN E. GLESSNER  
SUPERVISORY PATENT EXAMINER**